

Docket No.: 50325-0841

REMARKS/ARGUMENTS

## I. SPECIFICATION

In the specification, the paragraph [0183] has been amended to cite elements not previously cited from Fig. 9.

## II. STATUS OF CLAIMS

Claims 1-26 remain in this application. Claims 1, 2, 3, 5, 6, 7, 9, 12-17, 19, 20, 21, 23, and 26 have been amended.

## III. DRAWINGS

The Office Action objected to the drawings under 37 C.F.R. 1.84(p)(5). Applicant has amended the Specification to include the reference characters cited in the Office Action. Therefore, Applicant respectfully requests that the objection be withdrawn.

## IV. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 1-26 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,754,858 to Broman et al., in view of U.S. Patent Application Publication #2003/0217193 A1 to Thurston et al. The rejection is respectfully traversed.

Claims 1 appears as follows:

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1. A method of a development and build environment for packaged software delivery in a distributed network of nodes, the method comprising the computer-implemented steps of:  
compiling source code files into executable file modules;  
wherein a module contains an image for a process or a dynamically linked library (DLL);  
creating a software package that comprises at least one module;  
wherein packages are created based on features/characteristics or purpose;  
creating metadata for a module that includes any module information such as the module's: binary signature, name, directory path, and characteristics;  
inserting the module's metadata into the software package;  
gathering application program interface (API) dependency information for each module;  
wherein a module can provide and use at least one API;  
collecting dependencies documented in module specifications and placing them into the module's metadata; and  
wherein the dependencies documented in each module lists API names and versions that the process or DLL depends on.

In particular, Broman does not teach or disclose a system wherein a module can provide and use at least one API. The Office Action states:

“-wherein a module can provide and use at least one API;

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Broman disclosed (col. 8, lines 38-48), as an example, the project generator and services module generate using templates (resource files – text or binary), where the binary files contain user interface components (APIs).”

However, the Office Action has incorrectly correlated the term “user interface components” with APIs. Broman clearly defines binary templates in col. 8, lines 44-48:

“The binary templates typically contain bitmap data for user interface components, such as toolbars and the like, which are copied verbatim by the services module 76 into the application project 54.”

Broman’s user interface components are graphical bitmaps. The Office Action’s characterization of bitmapped user interface components as APIs is contradictory to what is known in the art. An API is an **Application Program Interface**, not a **bitmapped user interface**. APIs are described at least in paragraphs 0179-0183 in the Specification.

Further, Broman does not teach or suggest a system that gathers application program interface (API) dependency information for each module as claimed in Claim 1. Broman does not teach or disclose APIs as discussed above. Therefore, Broman does not contemplate gathering API dependency information for each module and, in turn, cannot be suggestive of such.

The Office Action cites col. 8, lines 25-28 and 44-45 as suggestive of “dependency information”, however, Broman speaks of a user interface that offers options to a user. Col. 8, lines 21-36 states:

“Referring to FIG. 4, the generator user interface 78 presented by the custom application project generator 52 and the services module 76 also has the form of a dialog 150 with a title bar 152 at its top edge, a button bar 154 at its

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bottom edge, and an inner dialog 156 in between. The custom application project generator 52 and the services module 76 present a sequence of application project option selection steps in the inner dialog 156 which the user navigates by clicking on a back, next and finish buttons 160-162. The inner dialog 156 for each step contains a set of user interface controls for the user to choose from related application project options. The application project options and option selection steps presented in the dialog 150 are definable by the writer, and may include a mix of standard application project option steps and the writer's custom steps as described below.”

It is unclear how a user interface can be suggestive of “dependency information” and further how it applies to APIs when Broman does not contemplate the use of APIs as shown above.

Therefore, Broman in view of Thurston does not teach or disclose the invention as claimed.

Claim 1 is in allowable condition. Independent Claims 6, 13, and 20 are similarly allowable. Claims 2-5, and 7-12, and 14-19, and 21-26 are dependent upon independent Claims 1, 6, 13, and 20, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

#### V. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.


The Examiner is invited to telephone the undersigned at (408) 414-1214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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on January 20, 2006

By 

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